

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) NO. 04-CR-30033-MAP
)
RAYMOND ASSELIN, SR., ET AL.,)
 Defendants)

MEMORANDUM AND ORDER REGARDING
MOTIONS TO SEVER
(Docket Nos. 122, 128 & 136)

February 15, 2006

PONSOR, D.J.

Defendants Davis, Serrazina, and Merylina Asselin have moved for severance of their trials from various co-defendants. These motions are all hereby DENIED, without prejudice.

As the court suggested at the motion hearing on February 14, 2006, it is likely, if all thirteen defendants presently charged proceed to trial, that the court will try this case in two segments. The first trial may be of defendants Raymond Asselin, Sr., Sotirion, Davis, Spano, Bannick and Raymond Asselin, Jr. The second segment may be of defendants Janet Asselin, James Asselin, Joseph Asselin, Melinda Asselin, Mary Serrazina, Christopmer Asselin and Merylina Asselin.

It is important to emphasize that the court's inclination at this moment is merely tentative. It is still possible based on further developments in the case or further consideration of the issues, that the court will proceed on September 11, 2006 with all thirteen defendants in one trial. In addition, even if the court does segment the trials as described, both cases will be set for September 11 for trial, with the group of seven defendants to be second case out. In addition, if some of the defendants in the first group of six decide to offer pleas, some or all of the defendants in the second group may be moved to the first.

The clerk is directed to distribute this memorandum to all counsel of record, not only those filing the motions for severance.

It is So Ordered.

A handwritten signature in cursive script, reading "Michael A. Ponsor".

MICHAEL A. PONSOR
United States District Judge